

THIS CAUSE came before the Court on the *Receiver's Motion to Approve Sale of Longboat Key Property with Any and All Liens Attaching to Sale Proceeds to be Held in Escrow Pending Resolution of All Lien Claims* (the "Motion"). With

the Court having considered the Motion, and finding that cause exists to grant the Motion, it is hereby ORDERED as follows:

1. The Motion is **GRANTED**.
2. The Court authorizes and approves the Receiver's sale of the property located at 6960 Gulf of Mexico Drive, Longboat Key, Florida, 34228 (the "Longboat Key Property") pursuant to any offer equal to or in excess of the total payoff amount (as of the date the Receiver receives the offer) claimed by the FDIC as receiver of Montgomery Bank & Trust (the "FDIC-R"), plus closing costs.
3. The Court further authorizes the closing agent of the sale of the Longboat Key Property approved herein, or the Receiver, to hold the sale proceeds in escrow pending the resolution of all lien claims as to the Longboat Key Property and the Receiver's defenses thereto. All claims, rights, defenses and arguments with respect to the Longboat Key Property and all sale proceeds shall be preserved until they are determined by a court of competent jurisdiction.
4. The Court further authorizes, upon the closing of the sale of the Longboat Key Property approved herein, the payment of the commission owed to the Receiver's real estate broker, and the Buyer's broker, pursuant to the commission structure provided in the listing agreement entered into between the Receiver's broker and the Receiver. Accordingly, for services performed in

connection with the sale of the Longboat Key Property, the Receiver's broker is entitled to a commission payment of 5% of the purchase price or, if the buyer engaged a broker for the transaction, the Receiver's broker is entitled to a commission payment of 3%, and buyer's broker is entitled to a commission of 2%.

DONE AND ORDERED in the Northern District of Georgia, this 12th day of November, 2013.

A handwritten signature in black ink, appearing to read "Timothy C. Bates", written over a horizontal line.

UNITED STATES DISTRICT COURT JUDGE

Copies provided to:

All counsel of record